

# **JOURNAL OF THE HOUSE**

## **EIGHTY-EIGHTH SESSION**

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THIRTY-SECOND DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Thursday, February 28, 2013

The House convened at 12:30 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Larry Cass, followed by the Pledge of Allegiance led by House page Joseph Lyon.

Roll Call: All members present except Rep. Stevens who was excused.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirty-first day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Brian G. Gosch, Chair

Which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Transportation respectfully reports that it has had under consideration SB 154 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on Transportation respectfully reports that it has had under consideration SB 143 and returns the same with the recommendation that said bill be amended as follows:

143jta

On page 1, line 1, of the Senate engrossed bill, delete everything after "regarding" and insert "informational directional signing on the interstate right-of-way."

On page 1, delete line 2.

And that as so amended said bill do pass.

Respectfully submitted,  
Mike Verchio, Chair

Also MR. SPEAKER:

The Committee on Taxation respectfully reports that it has had under consideration SB 51 and returns the same with the recommendation that said bill be amended as follows:

51ff

On page 2 of the Senate engrossed bill, delete lines 15 to 24, inclusive.

On page 3, delete lines 1 to 4, inclusive.

And that as so amended said bill do pass.

Respectfully submitted,  
Brock L. Greenfield, Chair

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1 WHEREAS, the above named served loyally as pages for the House of Representatives of  
2 the Eighty-eighth Legislative Session; and

3 WHEREAS, the members of the Eighty-eighth House of Representatives express their most  
4 sincere appreciation to these young people for their service to the state; and

5 WHEREAS, the members extend to these young people their wishes for every success in  
6 life:

7 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-  
8 eighth Legislature of the State of South Dakota, that a personal copy of this resolution be duly  
9 certified and furnished to each page on this last day of service.

10 Rep. Munsterman moved that House Page Resolution 4 be adopted.

11 Which motion prevailed and the resolution was adopted.

12 Rep. Stalzer moved that the House do concur in Senate amendments to HCR 1008.

13 The question being on Rep. Stalzer's motion that the House do concur in Senate  
14 amendments to HCR 1008.

15 And the roll being called:

16 Yeas 53, Nays 16, Excused 1, Absent 0

17 Yeas:

18 Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
19 Erickson; Feickert; Greenfield; Haggar (Don); Haggar (Jenna); Hansen; Heinemann (Leslie);  
20 Hickey; Hoffman; Johns; Kaiser; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;  
21 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Qualm;  
22 Rasmussen; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Solum; Stalzer;  
23 Steele; Tulson; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

24 Nays:

25 Bartling; Feinstein; Gibson; Hajek; Hawks; Hawley; Heinert; Hunhoff (Bernie); Killer; Parsley;  
26 Peterson; Ring; Schrempp; Soli; Tyler; Wismer

27 Excused:

28 Stevens

29 So the motion having received an affirmative vote of a majority of the members-elect, the  
30 Speaker declared the motion carried and the amendments were concurred in.

1 Yesterday, Rep. Gibson announced her intention to reconsider the vote by which SB 106  
2 lost.

3 Rep. Gibson moved that the House do now reconsider the vote by which SB 106 lost.

4 The question being on Rep. Gibson's motion to reconsider the vote by which SB 106 lost.

5 And the roll being called:

6 Yeas 36, Nays 33, Excused 1, Absent 0

7 Yeas:

8 Bartling; Bolin; Cammack; Carson; Dryden; Ecklund; Feickert; Feinstein; Gibson; Hajek;  
9 Hawks; Hawley; Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Lust;  
10 Magstadt; Mickelson; Munsterman; Otten (Herman); Parsley; Peterson; Rasmussen; Ring;  
11 Romkema; Rozum; Schrempp; Soli; Tyler; Werner; Wink; Wismer

12 Nays:

13 Campbell; Conzet; Craig; Cronin; Duvall; Erickson; Greenfield; Haggar (Don); Haggar (Jenna);  
14 Hansen; Heinemann (Leslie); Kaiser; Kopp; Latterell; May; Miller; Nelson; Novstrup (David);  
15 Olson (Betty); Qualm; Rounds; Russell; Schaefer; Schoenfish; Sly; Solum; Stalzer; Steele;  
16 Tulson; Verchio; Westra; Wick; Speaker Gosch

17 Excused:

18 Stevens

19 So the motion having received an affirmative vote of a majority of the members-elect, the  
20 Speaker declared the motion carried and SB 106 was up for reconsideration and final passage.

21 Rep. Gibson moved that SB 106 be placed on today's calendar, Thursday, February 28, the  
22 32<sup>nd</sup> legislative day.

23 Which motion lost.

24 Rep. Wink moved that SB 106 be placed on the calendar of Monday, March 4, the  
25 33<sup>rd</sup> legislative day.

26 A roll call vote was requested and supported.

27 The question being on Rep. Wink's motion that SB 106 be placed on the calendar of  
28 Monday, March 4, the 33<sup>rd</sup> legislative day.

1 And the roll being called:

2 Yeas 48, Nays 21, Excused 1, Absent 0

3 Yeas:

4 Bartling; Bolin; Cammack; Carson; Conzet; Cronin; Dryden; Duvall; Ecklund; Erickson;  
5 Feickert; Feinstein; Gibson; Haggar (Don); Hansen; Hawks; Hawley; Heinemann (Leslie);  
6 Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Lust; Magstadt;  
7 Mickelson; Munsterman; Otten (Herman); Parsley; Peterson; Rasmussen; Ring; Romkema;  
8 Rozum; Russell; Schoenfish; Schrempp; Sly; Soli; Steele; Tyler; Verchio; Werner; Westra;  
9 Wink; Wismer

10 Nays:

11 Campbell; Craig; Greenfield; Haggar (Jenna); Hajek; Kaiser; Kopp; Latterell; May; Miller;  
12 Nelson; Novstrup (David); Olson (Betty); Qualm; Rounds; Schaefer; Solum; Stalzer; Tulson;  
13 Wick; Speaker Gosch

14 Excused:

15 Stevens

16 So the motion having received an affirmative vote of a majority of the members present,  
17 the Speaker declared the motion carried and SB 106 was so placed.

18 SCR 6: A CONCURRENT RESOLUTION, Requesting the Congress of the United States  
19 to enact legislation that would reinstate the separation of commercial and investment banking  
20 functions that were in effect under the Glass-Steagall Act (Banking Act of 1933).

21 Rep. Miller moved that SCR 6 as found on page 560 of the Senate Journal be concurred  
22 in.

23 The question being on Rep. Miller's motion that SCR 6 be concurred in.

24 And the roll being called:

25 Yeas 67, Nays 2, Excused 1, Absent 0

26 Yeas:

27 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;  
28 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);  
29 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff  
30 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;  
31 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;  
32 Peterson; Qualm; Rasmussen; Ring; Romkema; Rozum; Russell; Schaefer; Schoenfish;  
33 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Tulson; Tyler; Verchio; Werner; Westra; Wick;  
34 Wink; Speaker Gosch

1 Nays:  
2 Rounds; Wismer

3 Excused:  
4 Stevens

5 So the motion having received an affirmative vote of a majority of the members-elect, the  
6 Speaker declared the motion carried and SCR 6 was concurred in.

7 **CONSIDERATION OF REPORTS OF COMMITTEES**

8 Rep. Lust moved that the reports of the Standing Committees on  
9 State Affairs on SB 200 as found on page 565 of the House Journal; also  
10 Education on SB 15 as found on page 567 of the House Journal; also  
11 Education on SB 138 as found on page 567 of the House Journal be adopted.  
12 Which motion prevailed.

13 **SECOND READING OF CONSENT CALENDAR ITEMS**

14 SB 60: FOR AN ACT ENTITLED, An Act to revise certain definitions regarding the  
15 appraiser certification program.

16 Was read the second time.

17 The question being "Shall SB 60 pass as amended?"

18 And the roll being called:

19 Yeas 68, Nays 0, Excused 2, Absent 0

20 Yeas:  
21 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;  
22 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);  
23 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
24 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
25 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;  
26 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
27 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Tulson; Tyler; Verchio; Werner; Westra; Wick;  
28 Wink; Wismer; Speaker Gosch

1       Excused:  
2       Hansen; Stevens

3       So the bill having received an affirmative vote of a majority of the members-elect, the  
4       Speaker declared the bill passed and the title was agreed to.

5       SB 61: FOR AN ACT ENTITLED, An Act to allow licensed insurance agents to act as  
6       consultants in certain circumstances.

7       Was read the second time.

8       The question being "Shall SB 61 pass as amended?"

9       And the roll being called:

10       Yeas 68, Nays 0, Excused 2, Absent 0

11       Yeas:  
12       Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;  
13       Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);  
14       Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
15       Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
16       Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;  
17       Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
18       Schrempp; Sly; Soli; Solum; Stalzer; Steele; Tulson; Tyler; Verchio; Werner; Westra; Wick;  
19       Wink; Wismer; Speaker Gosch

20       Excused:  
21       Hansen; Stevens

22       So the bill having received an affirmative vote of a majority of the members-elect, the  
23       Speaker declared the bill passed and the title was agreed to.

24       SB 62: FOR AN ACT ENTITLED, An Act to revise certain requirements regarding when  
25       an insurer's certificate of authority may be revoked.

26       Was read the second time.

27       The question being "Shall SB 62 pass as amended?"

28       And the roll being called:

29       Yeas 68, Nays 0, Excused 2, Absent 0



1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;  
3 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);  
4 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
5 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
6 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;  
7 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Tulson; Tyler; Verchio; Werner; Westra; Wick;  
9 Wink; Wismer; Speaker Gosch

10 Excused:

11 Hansen; Stevens

12 So the bill having received an affirmative vote of a majority of the members-elect, the  
13 Speaker declared the bill passed and the title was agreed to.

14 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

15 Rep. Lust moved that the balance of the calendar including SB 199, 10, 11, 59, 216, 180,  
16 66, 111, 153, 158, 17, 166, 31, 194, 223, and 55 be deferred to Monday, March 4, the  
17 33<sup>rd</sup> legislative day.

18 Which motion prevailed.

19 There being no objection, the House reverted to Order of Business No. 5.

20 **REPORTS OF STANDING COMMITTEES**

21 MR. SPEAKER:

22 The Committee on Legislative Procedure respectfully reports that HB 1019, 1020, 1028,  
23 1038, 1057, 1074, 1079, 1081, 1082, 1091, 1101, 1118, 1127, 1141, 1158, and 1180 were  
24 delivered to his Excellency, the Governor, for his approval at 11:00 a.m., February 28, 2013.

25 Also MR. SPEAKER:

26 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing  
27 and Enrolling has carefully compared HB 1017, 1059, 1062, 1083, 1093, 1102, 1103, 1150,  
28 1174, 1187, 1191, and 1226 and finds the same correctly enrolled.

29 Respectfully submitted,  
30 Brian G. Gosch, Chair

**SIGNING OF BILLS**

The Speaker publicly read the title to

HB 1013: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to construct multi-use storage facilities at South Dakota State University and to make an appropriation therefor.

HB 1014: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to purchase a structure for use by South Dakota School of Mines and Technology and to make an appropriation therefor.

HB 1015: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the construction of an addition, remodeling, and renovation of Medary Commons on the campus of South Dakota State University and to make an appropriation therefor.

HB 1016: FOR AN ACT ENTITLED, An Act to revise the location of the cow-calf research and education unit authorized in chapter 107 of the 2012 Session Laws.

HB 1017: FOR AN ACT ENTITLED, An Act to establish and revise certain provisions, bond amounts, fees, and penalties related to the regulation of grain warehouses and grain buyers and to declare an emergency.

HB 1049: FOR AN ACT ENTITLED, An Act to transfer the value added agriculture subfund from the Governor's Office of Economic Development to the Department of Agriculture.

HB 1059: FOR AN ACT ENTITLED, An Act to repeal and revise certain obsolete and unnecessary statutes and rules relating to the Department of Environment and Natural Resources.

HB 1062: FOR AN ACT ENTITLED, An Act to repeal and reenact certain provisions regarding forestry and fire suppression.

HB 1083: FOR AN ACT ENTITLED, An Act to revise the crime of rustling to include sheep and goats.

HB 1093: FOR AN ACT ENTITLED, An Act to allow the use of dogs to hunt mountain lions and leashed dogs to track and retrieve wounded or presumed dead big game animals.

HB 1102: FOR AN ACT ENTITLED, An Act to revise provisions regarding the South Dakota Life and Health Insurance Guaranty Association Act.

HB 1103: FOR AN ACT ENTITLED, An Act to exempt credit health insurers from certain provisions related to preexisting conditions.

1 HB 1110: FOR AN ACT ENTITLED, An Act to provide for openness in certain electronic  
2 records databases and to open certain information regarding electronic record systems.

3 HB 1112: FOR AN ACT ENTITLED, An Act to clarify the application of certain open  
4 meetings provisions to certain three-member public boards.

5 HB 1115: FOR AN ACT ENTITLED, An Act to clarify the deliberative process exception  
6 to certain open records provisions.

7 HB 1116: FOR AN ACT ENTITLED, An Act to revise the terms and expiration dates of  
8 appointees to certain boards and commissions.

9 HB 1150: FOR AN ACT ENTITLED, An Act to amend provisions relating to violations  
10 of no contact orders.

11 HB 1162: FOR AN ACT ENTITLED, An Act to provide for special organ donation decals  
12 for license plates.

13 HB 1174: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to  
14 snowmobile operation.

15 HB 1187: FOR AN ACT ENTITLED, An Act to provide alternative brand inspection  
16 procedures for certain rodeo livestock.

17 HB 1191: FOR AN ACT ENTITLED, An Act to provide for the issuance of additional  
18 retail fireworks licenses.

19 HB 1217: FOR AN ACT ENTITLED, An Act to revise and expand certain provisions  
20 related to organ and tissue donation.

21 HB 1226: FOR AN ACT ENTITLED, An Act to provide remedies for assets omitted from  
22 the division of property in the entry of a divorce decree.

23 SB 3: FOR AN ACT ENTITLED, An Act to require the reporting of the outcomes of  
24 certain licensure and certification examinations.

25 SB 4: FOR AN ACT ENTITLED, An Act to require the Department of Labor and  
26 Regulation to determine certain job placement outcomes for graduates of all public  
27 postsecondary education institutions in the state.

28 SB 7: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
29 registration of a place of business with the Real Estate Commission.

30 SB 14: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the  
31 automated library system fund.

1 SB 22: FOR AN ACT ENTITLED, An Act to make an appropriation for the construction  
2 and renovation of certain office buildings in Rapid City for the Department of Agriculture and  
3 to declare an emergency.

4 SB 29: FOR AN ACT ENTITLED, An Act to authorize the Department of the Military to  
5 purchase land for use by the South Dakota Army National Guard, to make an appropriation  
6 therefor, and to declare an emergency.

7 SB 30: FOR AN ACT ENTITLED, An Act to authorize the Department of the Military to  
8 construct a motor vehicle storage building in Sioux Falls, to make an appropriation therefor, and  
9 to declare an emergency.

10 SB 33: FOR AN ACT ENTITLED, An Act to authorize the use of an online reverse  
11 auction for the procurement of certain goods and services by governmental agencies.

12 SB 35: FOR AN ACT ENTITLED, An Act to allow the prosecution to appeal from certain  
13 judgments of acquittal.

14 SB 36: FOR AN ACT ENTITLED, An Act to protect the identity of the person or entity  
15 supplying the intravenous injection substance for executions and to increase the penalty for a  
16 violation of those provisions.

17 SB 43: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
18 crossing of a railroad and to revise the penalty for certain railroad crossing violations by the  
19 driver of a commercial motor vehicle.

20 SB 56: FOR AN ACT ENTITLED, An Act to define a credit card bank and to revise  
21 certain provisions regarding the distribution of the bank franchise tax.

22 SB 64: FOR AN ACT ENTITLED, An Act to revise provisions regarding broker price  
23 opinions, comparative market analyses, and appraisals.

24 SB 65: FOR AN ACT ENTITLED, An Act to revise certain exemptions from licensure by  
25 the Real Estate Commission.

26 SB 68: FOR AN ACT ENTITLED, An Act to revise the controlled substance schedule and  
27 to declare an emergency.

28 SB 69: FOR AN ACT ENTITLED, An Act to revise certain provisions of the health  
29 professionals diversion program.

30 SB 86: FOR AN ACT ENTITLED, An Act to increase the minimum salary payable to  
31 county officials, state's attorneys, and sheriffs.

32 SB 88: FOR AN ACT ENTITLED, An Act to authorize the county to deny bids on county  
33 sales of tax deed properties if the bidder is not current on property taxes due.

1 SB 89: FOR AN ACT ENTITLED, An Act to limit the liability of retail dealers in  
2 petroleum products under certain conditions.

3 SB 103: FOR AN ACT ENTITLED, An Act to remove the required waiting period before  
4 cremated remains may be released to be scattered.

5 SB 117: FOR AN ACT ENTITLED, An Act to provide for an expedited endorsement of  
6 certain licenses, certificates, registrations, and permits for spouses of active duty military  
7 personnel.

8 SB 118: FOR AN ACT ENTITLED, An Act to provide for the issuance of a resident  
9 medical license and to repeal certain resident training permits issued by the Board of Medical  
10 and Osteopathic Examiners.

11 SB 133: FOR AN ACT ENTITLED, An Act to establish a pharmacy audit integrity  
12 program.

13 SB 139: FOR AN ACT ENTITLED, An Act to regulate certain market activity in a health  
14 exchange.

15 SB 146: FOR AN ACT ENTITLED, An Act to provide for the collection of certain gaming  
16 taxes, penalties, and interest and to declare an emergency.

17 SB 168: FOR AN ACT ENTITLED, An Act to require that newborns be screened for  
18 congenital heart defects.

19 SB 181: FOR AN ACT ENTITLED, An Act to provide licensing reciprocity for social  
20 workers.

21 SB 189: FOR AN ACT ENTITLED, An Act to make appropriations from the water and  
22 environment fund, the water pollution control revolving fund subfund, and the drinking water  
23 revolving fund subfund for various water and environmental purposes and to declare an  
24 emergency.

25 SB 190: FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds  
26 for elderly persons and persons with a disability, to revise the income eligibility requirements  
27 for property and sales tax refunds, and to declare an emergency.

28 SB 204: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
29 deposit and expenditure of tobacco settlement revenues and bond proceeds.

30 SB 205: FOR AN ACT ENTITLED, An Act to authorize the hunting of wolves in certain  
31 circumstances.

32 SB 239: FOR AN ACT ENTITLED, An Act to repeal the state's membership in the  
33 multistate tax commission.

34 And signed the same in the presence of the House.

**COMMEMORATIONS**

HC 1027 Introduced by: Representatives Schrempp, Bartling, Feickert, Feinstein, Gibson, Hawks, Hawley, Heinert, Hunhoff (Bernie), Killer, Kirschman, Kopp, Olson (Betty), Parsley, Peterson, Ring, Soli, Tyler, Verchio, and Wismer and Senators Maher, Bradford, Lucas, and Sutton

A LEGISLATIVE COMMEMORATION, Honoring Hannah Higdon of Dupree, South Dakota, as a distinguished finalist for a Prudential Spirit of Community Award.

WHEREAS, Hannah Higdon of Dupree, South Dakota, a sophomore at Dupree High School, has achieved national recognition for exemplary volunteer service by being a distinguished finalist for the 2013 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Hannah Higdon earned this honor by giving generously of her time and energy to local elementary cheerleading squads and dance teams by holding weekly practices, choreographing routines, and performing with the groups at special events. With help from her supervisors and fellow high school cheerleaders, Hannah created a DVD for the cheerleaders to practice at home; and

WHEREAS, the success of the State of South Dakota, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Hannah Higdon who use their considerable talents and resources to serve others:

NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the State of South Dakota, that the Legislature congratulates Hannah Higdon as a distinguished finalist for a Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership, and community spirit and extends best wishes for her continued success and happiness.

HC 1028 Introduced by: Representative Nelson and Senator Van Gerpen

A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Cory Brooks.

WHEREAS, Cory Brooks volunteered to serve in the South Dakota Army National Guard, was a member of the Philip community, and selflessly paid the terrible costs for our freedoms while serving in Iraq on April 24, 2004; and

WHEREAS, Staff Sergeant Cory Brooks's service and ultimate sacrifice were in keeping with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

1 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
2 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
3 from even now tendering the consolation that may be found in this heartfelt appreciation and  
4 respect of the people of South Dakota that Cory died protecting; and

5 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
6 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
7 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

8 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
9 State of South Dakota, that Staff Sergeant Cory Brooks is posthumously honored, commended,  
10 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
11 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
12 appropriately immortalized for posterity. *Requiescat in pace.*

13 HC 1029 Introduced by: Representative Nelson and Senator Van Gerpen

14 A LEGISLATIVE COMMEMORATION, Posthumously honoring Private First Class Sheldon  
15 Hawk Eagle.

16 WHEREAS, Sheldon Hawk Eagle volunteered to serve in the United States Army, was a  
17 member of the Eagle Butte community, and selflessly paid the terrible costs for our freedoms  
18 while serving in Iraq on November 15, 2003; and

19 WHEREAS, Private First Class Sheldon Hawk Eagle's service and ultimate sacrifice were  
20 in keeping with the highest traditions of South Dakota's veterans and the United States Armed  
21 Forces; and

22 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
23 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
24 from even now tendering the consolation that may be found in this heartfelt appreciation and  
25 respect of the people of South Dakota that Sheldon died protecting; and

26 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
27 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
28 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

29 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
30 State of South Dakota, that Private First Class Sheldon Hawk Eagle is posthumously honored,  
31 commended, and remembered for his service and noble sacrifices for the people of South  
32 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
33 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

1 HC 1030 Introduced by: Representative Nelson and Senator Van Gerpen

2 A LEGISLATIVE COMMEMORATION, Posthumously honoring Lance Corporal Jeremy  
3 Bohlman.

4 WHEREAS, Jeremy Bohlman volunteered to serve in the United States Marine Corps, was  
5 a member of the Sioux Falls community, and selflessly paid the terrible costs for our freedoms  
6 while serving in Iraq on June 7, 2004; and

7 WHEREAS, Lance Corporal Jeremy Bohlman's service and ultimate sacrifice were in  
8 keeping with the highest traditions of South Dakota's veterans and the United States Armed  
9 Forces; and

10 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
11 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
12 from even now tendering the consolation that may be found in this heartfelt appreciation and  
13 respect of the people of South Dakota that Jeremy died protecting; and

14 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
15 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
16 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

17 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
18 State of South Dakota, that Lance Corporal Jeremy Bohlman is posthumously honored,  
19 commended, and remembered for his service and noble sacrifices for the people of South  
20 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
21 enrolled and appropriately immortalized for posterity. Fair winds and following seas, Marine.  
22 Long may your duty be, guarding the streets of gold. *Semper Fidelis*.

23 HC 1031 Introduced by: Representative Nelson and Senator Van Gerpen

24 A LEGISLATIVE COMMEMORATION, Posthumously honoring Captain Christopher Soelzer.

25 WHEREAS, Christopher Soelzer volunteered to serve in the United States Army, was a  
26 member of the Sturgis community, and selflessly paid the terrible costs for our freedoms while  
27 serving in Iraq on December 24, 2003; and

28 WHEREAS, Captain Christopher Soelzer's service and ultimate sacrifice were in keeping  
29 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

30 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
31 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
32 from even now tendering the consolation that may be found in this heartfelt appreciation and  
33 respect of the people of South Dakota that Christopher died protecting; and



1 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
2 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
3 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

4 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
5 State of South Dakota, that Captain Christopher Soelzer is posthumously honored, commended,  
6 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
7 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
8 appropriately immortalized for posterity. *Requiescat in pace.*

9 HC 1032 Introduced by: Representative Nelson and Senator Van Gerpen

10 A LEGISLATIVE COMMEMORATION, Posthumously honoring Chief Warrant Officer Two  
11 Scott Saboe.

12 WHEREAS, Scott Saboe volunteered to serve in the United States Army, was a member of  
13 the Willow Lake community, and selflessly paid the terrible costs for our freedoms while  
14 serving in Iraq on November 15, 2003; and

15 WHEREAS, Chief Warrant Officer Two Scott Saboe's service and ultimate sacrifice were  
16 in keeping with the highest traditions of South Dakota's veterans and the United States Armed  
17 Forces; and

18 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
19 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
20 from even now tendering the consolation that may be found in this heartfelt appreciation and  
21 respect of the people of South Dakota that Scott died protecting; and

22 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
23 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
24 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

25 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
26 State of South Dakota, that Chief Warrant Officer Two Scott Saboe is posthumously honored,  
27 commended, and remembered for his service and noble sacrifices for the people of South  
28 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
29 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

30 HC 1033 Introduced by: Representative Nelson and Senator Van Gerpen

31 A LEGISLATIVE COMMEMORATION, Posthumously honoring Sergeant Jeremiah Boehmer.

32 WHEREAS, Jeremiah Boehmer volunteered to serve in the United States Army, was a  
33 member of the Parkston community, and selflessly paid the terrible costs for our freedoms while  
34 serving in Iraq on February 5, 2006; and

1 WHEREAS, Sergeant Jeremiah Boehmer's service and ultimate sacrifice were in keeping  
2 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

3 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
4 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
5 from even now tendering the consolation that may be found in this heartfelt appreciation and  
6 respect of the people of South Dakota that Jeremiah died protecting; and

7 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
8 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
9 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

10 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
11 State of South Dakota, that Sergeant Jeremiah Boehmer is posthumously honored, commended,  
12 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
13 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
14 appropriately immortalized for posterity. *Requiescat in pace.*

15 HC 1034 Introduced by: Representative Nelson and Senator Van Gerpen

16 A LEGISLATIVE COMMEMORATION, Posthumously honoring Sergeant Allen Kokesh, Jr.

17 WHEREAS, Allen Kokesh, Jr. volunteered to serve in the South Dakota Army National  
18 Guard, was a member of the Yankton community, and selflessly paid the terrible costs for our  
19 freedoms while serving in Iraq on February 7, 2006; and

20 WHEREAS, Sergeant Allen Kokesh, Jr.'s service and ultimate sacrifice were in keeping  
21 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

22 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
23 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
24 from even now tendering the consolation that may be found in this heartfelt appreciation and  
25 respect of the people of South Dakota that Allen died protecting; and

26 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
27 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
28 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

29 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
30 State of South Dakota, that Sergeant Allen Kokesh, Jr. is posthumously honored, commended,  
31 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
32 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
33 appropriately immortalized for posterity. *Requiescat in pace.*

1 HC 1035 Introduced by: Representative Nelson and Senator Van Gerpen

2 A LEGISLATIVE COMMEMORATION, Posthumously honoring Corporal Brett Lundstrom.

3 WHEREAS, Brett Lundstrom volunteered to serve in the United States Marine Corps, was  
4 a member of the Rapid City community, and selflessly paid the terrible costs for our freedoms  
5 while serving in Iraq on January 7, 2006; and

6 WHEREAS, Corporal Brett Lundstrom's service and ultimate sacrifice were in keeping with  
7 the highest traditions of South Dakota's veterans and the United States Armed Forces; and

8 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
9 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
10 from even now tendering the consolation that may be found in this heartfelt appreciation and  
11 respect of the people of South Dakota that Brett died protecting; and

12 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
13 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
14 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

15 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
16 State of South Dakota, that Corporal Brett Lundstrom is posthumously honored, commended,  
17 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
18 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
19 appropriately immortalized for posterity. Fair winds and following seas, Marine. Long may your  
20 duty be, guarding the streets of gold. *Semper Fidelis.*

21 HC 1036 Introduced by: Representative Nelson and Senator Van Gerpen

22 A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Bryan Berky.

23 WHEREAS, Bryan Berky volunteered to serve in the United States Air Force, was a  
24 member of the Box Elder community, and selflessly paid the terrible costs for our freedoms  
25 while serving in Afghanistan on September 12, 2009; and

26 WHEREAS, Staff Sergeant Bryan Berky's service and ultimate sacrifice were in keeping  
27 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

28 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
29 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
30 from even now tendering the consolation that may be found in this heartfelt appreciation and  
31 respect of the people of South Dakota that Bryan died protecting; and

32 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
33 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
34 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

1 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
2 State of South Dakota, that Staff Sergeant Bryan Berky is posthumously honored, commended,  
3 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
4 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
5 appropriately immortalized for posterity. *Requiescat in pace.*

6 HC 1037 Introduced by: Representative Nelson and Senator Van Gerpen

7 A LEGISLATIVE COMMEMORATION, Posthumously honoring Specialist Dennis Jensen.

8 WHEREAS, Dennis Jensen volunteered to serve in the South Dakota Army National Guard,  
9 was a member of the Vermillion/Yankton communities, and selflessly paid the terrible costs for  
10 our freedoms while serving in Afghanistan on August 16, 2011; and

11 WHEREAS, Specialist Dennis Jensen's service and ultimate sacrifice were in keeping with  
12 the highest traditions of South Dakota's veterans and the United States Armed Forces; and

13 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
14 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
15 from even now tendering the consolation that may be found in this heartfelt appreciation and  
16 respect of the people of South Dakota that Dennis died protecting; and

17 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
18 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
19 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

20 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
21 State of South Dakota, that Specialist Dennis Jensen is posthumously honored, commended, and  
22 remembered for his service and noble sacrifices for the people of South Dakota. In token of  
23 South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
24 appropriately immortalized for posterity. *Requiescat in pace.*

25 HC 1038 Introduced by: Representative Nelson and Senator Van Gerpen

26 A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant LeRoy  
27 Webster.

28 WHEREAS, LeRoy Webster volunteered to serve in the United States Army, was a member  
29 of the Sioux Falls community, and selflessly paid the terrible costs for our freedoms while  
30 serving in Iraq on April 25, 2009; and

31 WHEREAS, Staff Sergeant LeRoy Webster's service and ultimate sacrifice were in keeping  
32 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

33 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
34 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain

1 from even now tendering the consolation that may be found in this heartfelt appreciation and  
2 respect of the people of South Dakota that LeRoy died protecting; and

3 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
4 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
5 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

6 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
7 State of South Dakota, that Staff Sergeant LeRoy Webster is posthumously honored,  
8 commended, and remembered for his service and noble sacrifices for the people of South  
9 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
10 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

11 HC 1039 Introduced by: Representative Nelson and Senator Van Gerpen

12 A LEGISLATIVE COMMEMORATION, Posthumously honoring Specialist Patrick Herried.

13 WHEREAS, Patrick Herried volunteered to serve in the United States Army, was a member  
14 of the Sioux Falls community, and selflessly paid the terrible costs for our freedoms while  
15 serving in Iraq on February 6, 2006; and

16 WHEREAS, Specialist Patrick Herried's service and ultimate sacrifice were in keeping with  
17 the highest traditions of South Dakota's veterans and the United States Armed Forces; and

18 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
19 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
20 from even now tendering the consolation that may be found in this heartfelt appreciation and  
21 respect of the people of South Dakota that Patrick died protecting; and

22 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
23 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
24 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

25 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
26 State of South Dakota, that Specialist Patrick Herried is posthumously honored, commended,  
27 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
28 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
29 appropriately immortalized for posterity. *Requiescat in pace.*

30 HC 1040 Introduced by: Representative Nelson and Senator Van Gerpen

31 A LEGISLATIVE COMMEMORATION, Posthumously honoring Sergeant Dennis Morgan.

32 WHEREAS, Dennis Morgan volunteered to serve in the South Dakota Army National  
33 Guard, was a member of the Winner community, and selflessly paid the terrible costs for our  
34 freedoms while serving in Iraq on April 17, 2004; and

1 WHEREAS, Sergeant Dennis Morgan's service and ultimate sacrifice were in keeping with  
2 the highest traditions of South Dakota's veterans and the United States Armed Forces; and

3 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
4 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
5 from even now tendering the consolation that may be found in this heartfelt appreciation and  
6 respect of the people of South Dakota that Dennis died protecting; and

7 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
8 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
9 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

10 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
11 State of South Dakota, that Sergeant Dennis Morgan is posthumously honored, commended, and  
12 remembered for his service and noble sacrifices for the people of South Dakota. In token of  
13 South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
14 appropriately immortalized for posterity. *Requiescat in pace.*

15 Rep. Steele moved that the House do now adjourn, which motion prevailed and at  
16 1:31 p.m. the House adjourned.

17 Arlene Kvislen, Chief Clerk